

From: David Aufox
To: Microsoft ATR
Date: 1/24/02 8:45pm
Subject: Microsoft Settlement

To the Department of Justice,

As a Graphic/ Web designer, I'd like to comment on the Proposed Final Judgment in United States v. Microsoft.

Throughout its existence Microsoft has chosen coercion and subversion over invention, originality and innovation. Microsoft has a history of bullying and subterfuge in its efforts to gain market share over rivals like Netscape and Corel/Novell (WordPerfect) who offer competing products. Never before has there been a company that manufactures such sub par products, yet at the same time controls such a stranglehold on the market that a person is unable to find a practical and realistic solution or alternative that avoids using that company's products in the course of daily business.

Microsoft time and time again has gotten away with illegal behavior with nothing more than a slap on the wrists. Even after they have been legally found to be a monopoly, they still claim they are not and even try to use a settlement to gain market share in the one market they do not control, education. I fear that this might not change after the current legal battles with Microsoft over and done with, the Proposed Final Judgment has many issues, which I feel, are not in the public's best interest. The Proposed Final Judgment does not take into account windows compatible operating systems. It also contains specifications so narrow they are misleading. One example is the Proposed Final Judgment mandates Microsoft must release its secret API's but defines API's so strictly many API's especially more of the important ones are not covered by the definition. Most of all the Proposed Final Judgment does not take into account Microsoft's current and actions and products it is trying to develop for the future.

I feel that if action isn't taken now against Microsoft for the illegal crimes it has committed and been found guilty of, the Department of Justice will find itself fighting the same law suit several years from now on the same issues but a different offending Microsoft product because Proposed Final Judgment didn't not take future growth and products into account while still allowing Microsoft to function as a company.

Please take these and all the other issues concerning the Proposed Final Judgment into account before acting on it. Thank you very much for your time.

-David Aufox

